

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WARREN E. BELL, JR.,

Petitioner,

V.

JASON BENNETT.

Respondent.

CASE NO. 2:24-cv-01204-JNW-BAT

REPORT AND RECOMMENDATION

Petitioner, a Stafford Creek Corrections Center prisoner, filed a petition for writ of habeas corpus and an application to proceed *in forma pauperis* (IFP). Dkt. 1. Petitioner's prison trust account statement shows Petitioner has average monthly receipts of \$150.00, an average spendable balance of \$49.19, and thus the ability to pay the \$5.00 fee for filing a federal habeas petition. The Court accordingly recommends:

1. Petitioner's IFP application be denied.
 2. Petitioner be directed to pay the \$5.00 filing fee within 14 days of adoption of this and recommendation, or the matter will be dismissed without prejudice.

2. The clerk shall provide a copy of this report to Petitioner.

OBJECTIONS AND APPEAL

This Report and Recommendation is not an appealable order. Therefore, Petitioner should not file a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit until the assigned District Judge enters a judgment in the case.

Objections, however, may be filed no later than **August 29, 2024**. The Clerk shall note the matter for **August 30, 2024**, as ready for the District Judge's consideration. The failure to timely object may affect the right to appeal.

DATED this 15th day of August, 2024.


BRIAN A. TSUCHIDA
United States Magistrate Judge